*THE HON'BLE SRI JUSTICE S.ANANDA REDDY

+W.P.NO.14912 OF 2005

%Dated 26-07-2005

#S.K.A.V.S.High School, Pusapadu,

Inkollu Mandal, Prakasam District,

Rep.by its Correspondent:GLK Prasad

**…PETITIONER**

and

$ 1. The Government of Andhra Pradesh, rep.by its

Secretary, Educatiion PS II Department, Secretariat

Hyderabad and 2 others.

**…RESPONDENTS**

**!Counsel for the Petitioner**: **MR.MCHANDRASEKHARA RAO**

**^Counsel for the Respondents: GP FOR SCHOOL EDUCATION**

**HONOURABLE SRI JUSTICE S.ANANDA REDDY**

WRIT PETITION No.14912 of 2005

**ORDER:**

This writ petition is filed by the petitioner seeking writ of Mandamus declaring the impugned order of the second respondent dated 30-05-2000 as illegal, arbitrary and without jurisdiction, and consequently, direct the Regional Joint Director-the third respondent herein to implement the orders of the Government in memo No.3983/PS-2/2004-3, dated 10-02-2005 to approve three posts of teachers who were already appointed on 10-06-2003 and joined the service on 12-06-2003 as per the recommendations of the District Educational Officer, Ongole, Prakasam District, in proceedings in RC.No.2371/(B1) B2/2k dated 10-05-2005 and release the teaching grant from the date of their joining the service.

**2.** According to the petitioner, in its institution certain posts of the teachers fell vacant, therefore, the petitioner sought for permission of the authorities permitting it to fill up the vacancies in accordance with rules. Thereafter, the petitioner selected three candidates for three posts of one Secondary Grade Teacher, one Telugu Pandit Grade-II and one Physical Education Teacher. The said selection is in accordance with rules framed in G.O.Ms.No.1 dated 01-01-1994. It is stated that the candidates who were selected have also joined the service of the petitioner on the premise that the competent authority would approve the appointments. But, as no orders are passed by the third respondent approving the appointments even though the proposals were sent as early as in the year 2003, the petitioner has come up with the present writ petition.

**3.** On the earlier occasion, when the matter came up, the learned Government Pleader for respondents directed to get instructions, and accordingly, posted this matter today. Today, when the matter is called, the learned Government Pleader represented that he did not receive the instructions from the respondent authorities. Therefore, the matter is heard and disposed of on merits.

**4.** Admittedly, the petitioner sought for permission to fill up three posts referred

to earlier as per the rules. It is stated that the selection committee was constituted and selected three candidates for the three posts and the proceedings were sent for approval of the respondent authorities. As the petitioner completed the selection, after obtaining the necessary permission from the competent authorities and the selection was also completed long before the ban imposed by the Government by memo dated 20-10-2004, it is appropriate for the competent authorities to pass appropriate orders on the approvals sought for by the petitioner with reference to the three posts for which candidates were selected.

**5.** Under the above circumstances, the writ petition is disposed of directing the third respondent to pass appropriate orders on the proposals sent by the petitioner for approval of the appointments of three posts viz., one Secondary Grade Teacher, one Telugu Pandit Grade-II and one Physical Education Teacher, expeditiously, preferably, within a period of four weeks from the date of receipt of a copy of this order.

**6.** Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

26th July, 2005

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